

REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL

January 28, 2002

The REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL was held on Monday, January 28, 2002, at 7:00 p.m., in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina.

PRESENT: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mr. Milton Farley, Council Member District No. 1; Ms. Judith K. Spooner, Council Member District No. 2; Mr. William E. Crosby, Council Member District No. 3; Mr. Charles E. Davis, Council Member District No. 4; Mr. Steve M. Vaughn, Council Member District No. 5; Mrs. Judy C. Mims, Council Member District No. 6; Mr. Caldwell Pinckney, Jr., Council Member District No. 7; Mr. Henry L. Richardson, Jr., Council Member District No. 8; Mr. D. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk to County Council.

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and copy of Agenda of this Regular Meeting of Berkeley County Council at the entrance of the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Council Members, the News media and posted electronically, and all interested citizens.

Chairman Rozier called the meeting to order. Councilmember Spooner led in the Invocation and Councilmember Crosby led in the Pledge of Allegiance to the Flag of the United States of America.

Chairman Rozier welcomed Master Charles Whitlock to the County Council Meeting. Master Whitlock is a member of the Boys Scouts of American.

Chairman Rozier asked the Council's approval of minutes for Public Hearings Bills Numbered: 01-55, 01-56, 01-57, 01-58, 01-60, 01-63; Public Hearing: Lease of Real Property; Public Hearing: SJP, LLC and Pearlstine Distributors on December 17, 2001. Also, Regular Council Meeting on December 17, 2001.

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve the minutes as presented. The motion was passed by unanimous voice vote of the Council.

There was not **PUBLIC DISCUSSION OR EXECUTIVE SESSION.**

PROCLAMATION:

BERKELEY COUNTY & BERKELEY COUNTY SCHOOL DISTRICT
LOCAL PROCLAMATION

Ms. Gwen Scarborough, Berkeley County School District, explained to Council the Proclamation would be recognized by the State of South Carolina and the United States as a whole, with Career and Technical Education. Ms. Scarborough had asked Mr. Rozier if Berkeley County could recognize this Proclamation to demonstrate to all how important these classes are. Ms. Scarborough expressed with the State budget cuts we need to let it be know how important these classes are and that we would hate to see these opportunities for the students of Berkeley County be cut from the budget. Ms. Scarborough read the Proclamation as follows:

**Berkeley County & Berkeley County School District
Local Proclamation
Career and Technical Education Week.
February 10 – 16, 2002**

WHEREAS: February 10 - 16, 2002, has been designated Career and Technical Education Week by the National Association for Career and Technical Education; and

WHEREAS: profound economic and technological changes in our society are rapidly reflected in the structure and nature of work, thereby placing new and additional responsibilities on our educational system; and

WHEREAS: career and technical education provides Americans with a school-to-careers connection and is the backbone of a strong, well-educated workforce, which fosters productivity in business and industry and contributes to America's leadership in the international marketplace; and

WHEREAS: career and technical education gives high school students experience in practical, meaningful applications of basic skills such as reading, writing and mathematics, thus improving the quality of their education, motivating potential dropouts and giving all students leadership opportunities in their fields and in their communities; and

WHEREAS: career and technical education offers individuals lifelong opportunities to learn new skills, which provide them with career choices and potential satisfaction; and

WHEREAS: the ever-increasing cooperative efforts of career and technical educators, business and industry stimulate the growth and vitality of our local economy and that of the entire nation by preparing graduates for career fields forecast to experience the largest and fastest growth in the next decade; and

WHEREAS: we are dedicated to "Preparing Today's Students for Tomorrow's Careers";

NOW THEREFORE: We hereby proclaim February 10 - 16, 2002, as Career and Technical, Education Week in Berkeley County School District and throughout Berkeley County and urge all citizens to become familiar with the services and benefits offered by the career and technical education programs in this community and to support and participate in these programs to enhance their individual work skills and productivity.

IN TESTIMONY WHEREOF, We have hereunto set our hand and caused to be affixed, the Great Seals of Berkeley County and the Berkeley County School District on this 22nd day of January 2002.

Ms. Scarborough indicated that Mr. James H. Rozier, Dr. Chester Floyd, Mr. Bruce Cusack, and the Berkeley County School District Chairman would sign this proclamation.

It was moved by Councilmember Spooner and seconded by Councilmember Farley to approve the **BCSD Local Proclamation Career and Technical Education Week February 10-16, 2002**. The motion was passed by unanimous voice vote of the Council.

Mr. Rozier stated he thought more interest should be placed on technical education. Only about 21% of jobs require a college education; therefore, there is approximately 79% that do not require a college education.

Ms. Scarborough expressed even if you are expecting to attend college you should still explore those career fields. It is a win-win situation for all students.

THIRD READINGS:

“BILL NO. 01-54, AN ORDINANCE APPROVING THE FINANCING OF CERTAIN IMPROVEMENTS TO THE SEWER SYSTEM PORTION OF THE WATER AND SEWER SYSTEM OF BERKELEY COUNTY, SOUTH CAROLINA, THROUGH A BORROWING BY THE COUNTY OF NOT EXCEEDING \$6,100,000 INCLUDING CAPITALIZED INTEREST, IF ANY, FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND, BY AGREEMENT WITH THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, PURSUANT TO TITLE 48, CHAPTER 5, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; PROVIDING FOR AN AGREEMENT TO MAKE AND TO ACCEPT A LOAN, THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE COUNTY AND THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE FROM THE COUNTY TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO.”

It was moved by Councilmember Crosby and seconded by Councilmember Vaughn to approve on Third and Final Reading **Bill No. 01-54**. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 02-01-01 is attached to these minutes.)

“BILL NO. 01-65, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #235-00-00-039.”
(Stanley Baker)

It was moved by Councilmember Crosby and seconded by Councilmember Vaughn to approve on Third and Final Reading **Bill No. 01-65**. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 02-01-02 is attached to these minutes.)

“BILL NO. 01-66, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #244-11-02-031”
(Miguel Whaley)

It was moved by Councilmember Vaughn and seconded by Councilmember Richardson to approve on Third and Final Reading **Bill No. 01-66**. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 02-01-03 is attached to these minutes.)

“BILL NO. 01-67, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #222-15-00-053.”
(Meredith Bunch)

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to approve on Third and Final Reading **Bill No. 01-67**. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 02-01-04 is attached to these minutes.)

“BILL NO. 01-68, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #197-00-01-009.”
(Emily Whaley Whipple)

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve on Third and Final Reading **Bill No. 01-68**. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 02-01-05 is attached to these minutes.)

“BILL NO. 01-69, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #194-00-01-027.”
(Brenda Gooding)

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve on Third and Final Reading **Bill No. 01-69**. The motion was passed by unanimous voice vote of the Council. (A copy of Ordinance No. 02-01-06 is attached to these minutes.)

SECOND READINGS:

“BILL NO. 01-70, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN

REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #141-00-02-079.”
(CP & CP, LLC)

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve on Second Reading **Bill No. 01-70**. The motion was passed by unanimous voice vote of the Council.

“**BILL NO. 01-71**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #178-00-03-005.”
(James and Arlene Stringer)

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve on Second Reading **Bill No. 01-71**. The motion was passed by unanimous voice vote of the Council.

FIRST READINGS:

“**BILL NO. 02-01**, THE FOURTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BERKELEY COUNTY, SOUTH CAROLINA, SOLID WASTE SYSTEM REVENUE BOND, SERIES 2002, IN THE PRINCIPLE AMOUNT OF \$2,650,000: AND OTHER MATTERS RELATING THERETO.”

“**BILL NO. 02-02**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #196-13-00-039.”

“**BILL NO. 02-03**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #242-02-00-033 AND 242-02-00-034.”

“**BILL NO. 02-04**, AN ORDINANCE TO MODIFY THE OFFICIAL ZONING AND DEVELOPMENT STANDARDS MAPS OF BERKELEY COUNTY, SOUTH CAROLINA, IN REGARDS TO A RECLASSIFICATION OF APPROVED USES OF TMS #244-11-02-001.”

RESOLUTIONS:

“RESOLUTION PROVIDING FOR THE TRANSFER OF FUNDS IN THE 2001-2002 BERKELEY COUNTY BUDGET FOR COUNTY PURPOSES OTHER THAN AS SPECIFIED IN SAID BUDGET.”

It was moved by Councilmember Vaughn and seconded by Councilmember Farley to approve the Resolution as presented. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 02-01 is attached to these minutes.)

“RESOLUTION AUTHORIZING BERKELEY COUNTY, SOUTH CAROLINA TO CONSENT TO THE ASSIGNMENT BY THE ROSS ENTITIES (AS SUCH IS DEFINED HEREIN) OF THEIR INTEREST IN A REAL PROPERTY LEASE PURCHASE AGREEMENT PURSUANT TO A FEE-IN-LIEU OF AD VALOREM TAXES AND OTHER MATTERS RELATED THERETO.”

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to approve the Resolution as presented. The motion was passed by unanimous voice vote of the Council. (A copy of Resolution No. R 02-02 is attached to these minutes)

REPORTS FROM STANDING COMMITTEES:

COMMITTEE ON FINANCE, Councilmember Steve M. Vaughn, Chairman.

Councilmember Vaughn reported that the Committee on Finance met on January 14.

Ms. Charlotte Allen with the firm of Bryan, Truesdale, Adkins & Williams provided Council with the findings of the annual audit. Ms. Allen reported a clean audit. No action was required. However, Ms. Allen is to come back to a Special Committee Meeting on February 25, 2002.

All other matters had been taken care of on tonight's agenda.

COMMITTEE ON LAND USE, Councilmember Charles E. Davis, Chairman.

Councilmember Davis reported that the Committee on Land Use met on January 14. All matters before the committee had been taken care of on tonight's agenda.

COMMITTEE ON PUBLIC WORKS AND PURCHASING, Councilmember William E. Crosby, Chairman.

Councilmember Crosby reported that the Committee on Land Use met on January 14.

Council Member Crosby moved to accept the Committee's recommendation to award the contract for the construction of the **Main EMS Station to Southeastern Construction** in the amount of \$96,900.00 (No Second Required). The motion was passed by unanimous voice vote of the Council.

COMMITTEE ON JUSTICE AND PUBLIC SAFETY, Councilmember Milton Farley, Chairman.

Councilmember Farley reported that the Committee on Justice and Public Safety met on January 14. All matters before the Committee had been taken care of on tonight's agenda.

COMMITTEE ON WATER AND SANITATION, Councilmember Henry Richardson, Chairman.

Councilmember Richardson reported that the Committee on Water and Sanitation had met on January 14. All matters before the Committee had been taken care of tonight's agenda.

COMMITTEE ON PLANNING AND DEVELOPMENT, Councilmember Judith K. Spooner, Chairman.

No Report.

Councilmember Spooner reminded Councilmembers that serve on the Lake Moultrie Recreation Committee that there would be a meeting, January 29th, at 6:00 p.m. in Council Chambers.

COMMITTEE ON COMMUNITY SERVICES, Councilmember Judy C. Mims, Chairman.

Councilmember Mims reported that the Committee on Community Services met on January 14. All matters before the Committee had been take care of on tonight's agenda.

COMMITTEE ON HUMAN SERVICES, Councilmember Caldwell Pinckney Jr., Chairman.

Councilmember Pinckney reported that the Committee on Human Services met on January 14.

The Society of Prevention of Cruelty to Animals provided Council with a year-end review. No action was required.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

Councilmember Vaughn nominated Judith Y. Murray to the Devon Forest Special Tax District.

Councilmember Crosby nominated James Thomas to the Special Fire Tax District Advisory Commission.

Mr. Rozier stated that he and the Clerk to Council have both asked for clarification as to which Boards the State Delegation are turning over to County Council.

Councilmember Mims, asked what would be done about the Boards that never meet? She indicated the Boards she was speaking of were the Construction and Housing Boards of Adjustments and Appeals.

Mr. D. Mark Stokes, County Attorney, explained that those Boards only met when a citizen or landowner filed an actual appeal for their assessment or with regard to a fee for a building permit.

Councilmember Mims indicated that she might have the Boards mixed up. The one she is referring to deals with cleaning or getting rid of the crack houses.

Mr. Rozier and Mr. Stokes both expressed they were not familiar with that Board.

Councilmember Mims asked when it would be cleared for Board members to play the Lottery? She has had persons asking her this question.

Mr. Rozier suggested that she indicate to them that they should ask their Senator's and House members. "They are asking the wrong people, if they ask you or me."

The nominations passed by unanimous voice vote of the Council.

There was no **CORRESPONDANCE**.

UNFINISHED BUSINESS:

Councilmember Spooner expressed her concern regarding the article that was in Sunday, January 27, 2002, Post and Courier Newspaper. She thought the report given to Council by the SPCA on January 14, 2002 was really good. It appears in the article that our facilities are being attacked. She asked when the animal shelter was constructed was there a plan and guidelines or was the building just erected at whim?

Mr. Rozier explained that when the shelter was built approximately 8 to 9 years ago, the Humane Society of North America was contacted and they sent three different floor plans. One was chosen and the County employees built the facility. At that time Berkeley County had a facility with outside runs. People that were members of the SPCA at that time were taking pictures of them. They did not want us to have outside runs. Now, apparently they are needed. The facility has air conditioning and heat in the animal area. Mr. Rozier expressed that he too took some offense to the article. Dr. Carlson, was the Doctor that the reporter interviewed from Charleston. Mr. Rozier indicated that he contacted Charleston SPCA to find out what their budget is. The budget is net \$298,000 for the year (this includes revenue). Divided by the 11,500 animals they take in, this number is per a letter that Dr. Carlson wrote to Mr. Rozier this past week, that equal \$25.91 per animal. The largest number of animals Berkeley County has ever taken in is 8500. Mr. Rozier added 5% to that to account for the amount the SPCA may take in, leaving 8925 rounded to 9000, this equals \$20 per animal. The County spent approximately \$45 per animal. Mr. Rozier presented another view; Berkeley County spends about \$180,000 on the shelter, with 143,000 citizens; which leaves, \$1.26 per capita that Berkeley County spends on animals. Charleston County spends \$298,000 on their shelter, with approximately 300,000 population; which leaves, \$0.99 per capita. Mr. Rozier indicated the newspaper article stated, he said that a dead puppy sells newspapers. "I did say that." He

explained that he followed the statement with saying that 228,000 puppies done right, apparently does not sell newspapers. He still sticks by that statement because the latter was left out of the article. There were 229,000 euthanasias in 6 months in our shelter. Mr. Rozier, "And that makes it a slaughter house? You are absolutely right it makes it a slaughterhouse! That's what happens at an animal shelter; animals are put down. We don't like that, but I think a newspaper article should be written on a full page that educates people on spaying and neutering their animals, and educations people on not throwing their animals in the street and taking responsibility for them; instead of taking pot shots at society for the prevention and cruelty to animals. I think it was bad business"

Councilmember Spooner was offended that the SPCA was put down because they are usually the ones that go after the animal abusers, and now they are being attacked and accused of mistreatment of animals.

Mr. Rozier indicated that the SPCA put down 1300 less in the six (6) months they had the shelter then Berkeley County did in the six (6) month period they had the shelter the previous year. They adopted out 250 more animals than Berkeley County had. Animals saved total 1550. "Tell me what is wrong with that? I think if everyone who is fighting against one another would work for the betterment of animals it might be time and energy better spent."

Mr. Rozier explained that he had sent out requests to Elected Officials on credit card policies. He has received a response from the Sheriff, and he will be compiling the information as the other Elected Officials reply. The Sheriff expressed his willingness to cooperate with the policy that Council sets.

The Regular Council Meeting in March will be held in the City of Hanahan. In May it will be held in Goose Creek. Mr. Rozier stated that Council was invited and he accepted the invitation, so that the citizens in those areas would have the opportunity to attend the meetings without having to commute as far.

There was no **NEW BUSINESS**.

Chairman Rozier announced that the next Regular Council Meeting of Berkeley County Council would be held on Monday, February 25, 2002 at 7:00 p.m.

It was moved by Councilmember Vaughn and seconded by Councilmember Spooner to adjourn the Regular meeting of Berkeley County Council. The motion was passed by unanimous voice vote of the Council.

The meeting was adjourned at 7:20 p.m.

PUBLIC DISCUSSION:

Ms. Marietta Hicks, 1207 Edward Dr., Moncks Corner, "Thank you for having me. First, I want to state I am here as a taxpayer not as a County Employee. In December I gave you a

copy of the letter that I sent to all the Fire Departments requesting a copy of their audit along with their budget. Since, audit being a hot topic in this County, I wanted to present to you my findings from that request. Out of the 26 Fire Departments only 10 responded to my letter; five of which sent audits from their CPA firms. Three of these five handed me their audit and were very congenial. The one I was most impressed with was St. Stephens Rural Fire. This Department gets around \$52,000 a year; they had a professional audit done, which cost them \$1500. My question is there are seven (7) other fire departments that receive more money than St. Stephen Rural, and I am wondering why they don't have professional audits done? In fact, one of the Departments that gets about \$20,000 - \$30,000 more, suggested that I pay their \$2000 audit. You have a copy of that letter. I have the packets divided in three sections, you have a copy of the audits, a copy of the information I received from each Fire Department. Two of which stated they were not going to respond to my request, due to the law that I quoted even though this is taxpayer's money, and you have copies of those. Because of the responses I received from some of the Fire Departments, I called Rembert Wrenn to get a copy of the audit. I wanted to point out one, Moncks Corner Rural, where the Board signed off, where it says public member, he is the Chief of that Department. Whitesville's copy is very outdated. That is all I have, I just wanted to inform you of what I have received. I am trying to get on the Advisory Board agenda to give all the information."

Councilmember Spooner explained that their audits should be a line item in their budget every year.

Councilmember Pinckney thanked Ms. Hicks for gathering the information. It helps Council to make better decisions.

Ms. Hicks, "I am here to fight for fire fighters I truly believe in them, but accountability does need to be held for our taxpayer's money."

Councilmember Pinckney, "I know there has been some discussion about Volunteer Fire Departments, but I can honestly say that over the holidays my parents' home caught fire and they responded in a very efficient and effective manner. So when asked would I vote for the \$25 increase, my response to them was that a \$25 increase would not have gotten them there any sooner. So it is not always about money, but about dedication. I appreciate their dedication."

Councilmember Richardson asked if the other departments did not have a professional audit done?

Ms. Hick, "No, I just wanted to point out that St. Stephens had a professional audit even though they only receive \$52,000 year. There were five audits I received C&B, Carami, Pine Ridge, St. Stephens and Goose Creek Rural. If others are having professional audits done I am not aware because they did not send one to me."

Mr. Rozier indicated that Berkeley County Contract does not require a professional audit, but it does require that each Fire Department have an audit.

Mr. D. Mark Stokes explained that the Fire Department as a provider in the County, is subject to the Freedom of Information Act request as any other Government agency would be, acting in the course that they do. The contracts are ready to be renewed, and it will be included in the contract that the Fire Departments have an audit preformed by an auditor or a firm that is acceptable to County Council.

Mr. Rozier asked Mr. Stokes if it was the County's responsibility to see that the FOI request is responded to by the Fire Departments?

Mr. Stokes indicated it was not.

Councilmember Pinckney asked if it was the Special Fire Tax District Advisory Commission's responsibility to make sure the FOI requests are responded to?

Mr. Stokes explained they were not. It is up to the individual requesting the information. They would then have to bring an action in Civil Court to enforce the provision. Mr. Stokes stated, what can be done is that in the contracts with the Fire Departments a provision can be inserted that they acknowledge they are responsible under the Freedom of Information Act and have to provide information that is requested.

Mr. Rozier recapped, there were ten (10) departments that responded, of which five (5) provided copies of their audits. There were two (2) that refused to send their audit.

Ms. Hicks, "There were fourteen (14) departments that I got no response from."

Mr. Rozier called Mr. Keith Paradise to speak. He stated he was taking his name off the list to speak.

The Public Discussion ended at 7:45 p.m.

S/Barbara B. Austin
Clerk to County Council

02/27/02
Date Approved

The **REGULAR MONTHLY MEETING OF BERKELEY COUNTY COUNCIL** to be held on Monday, **January 28, 2002**, is scheduled to begin at 7:00 P.M., in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

APPROVAL OF MINUTES:

| | |
|---|-------------------|
| Public Hearings Bills Numbered: 01-55, 01-56, 01-57, 01-58, 01-60, 01-63 | December 17, 2001 |
| Public Hearing: Lease of Real Property | December 17, 2001 |
| Public Hearing: SJP, LLC and Pearlstine Distributors | December 17, 2001 |
| Regular Council Meeting | December 17, 2001 |

PUBLIC DISCUSSION - Request to be heard must be made prior to Call to Order and comments must be limited to Agenda items being considered for final action.

EXECUTIVE SESSION to discuss matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the county; or discussions of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the County in other adversary situations involving the assertion against the County of a claim.

PROCLAMATION:

**BERKELEY COUNTY & BERKELEY COUNTY SCHOOL DISTRICT LOCAL
PROCLAMATION**

THIRD READING:

1. **Bill No. 01-54**, An Ordinance approving the financing of certain improvements to the sewer system portion of the water and sewer system of Berkeley County, South Carolina, through a borrowing by the County of not exceeding \$6,100,000 including capitalized interest, if any, from the State Water Pollution Control Revolving fund, by agreement with the South Carolina Water Quality Revolving Fund Authority, pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, As Amended; providing for an agreement to make and to accept a loan, the execution and delivery of a loan agreement between the County and the South Carolina Water Quality Revolving Fund Authority, the execution and delivery of a promissory note from

the County to the South Carolina Water Quality Revolving Fund Authority; and other matters relating thereto.

[Recommended by Committee on Water & Sanitation]

2. **Bill No. 01-65**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Stanley Baker for Margaret Mead et al, Montague Plantation Road, Goose Creek, TMS #235-00-00-039 (16 acre portion, 51 acres total), from LI, Light Industrial District and HI, Heavy Industrial District, to R-1, Single Family Residential District. Council District No. 3.

[Recommended by Committee on Land Use]

3. **Bill No. 01-66**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Miguel Whaley, Back River Road, Goose Creek, TMS #244-11-02-031 (0.98 acre), from R-2, Manufactured Residential District, to R-2R(F), Mobile Home Farm Residential District. Council District No. 3.

[Recommended by Committee on Land Use]

4. **Bill No. 01-67**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Meredith Bunch, 1161 College Park Road, Summerville, TMS #222-15-00-053 (5.5 acres), from R-1, Single Family Residential District, to GC, General Commercial District. Council District. No. 4.

[Recommended by Committee on Land Use]

5. **Bill No. 01-68**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Emily Whaley Whipple, Cypress Gardens Road at U. S. Highway 52, TMS #197-00-01-009 (2 acre portion, 32.09 total), from HI, Heavy Industrial District, to GC, General Commercial District. Council District No. 4.

[Recommended by Committee on Land Use]

6. **Bill No. 01-69**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Brenda Gooding, 1853 State Road, Summerville, TMS #194-00-01-027 (1.43 acres), from F-1, Agricultural District, to RNC, Rural and Neighborhood Commercial District. Council District No. 7.

[Recommended by Committee on Land Use]

SECOND READING:

1. **Bill No. 01-70**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: CP & CP, LLC, Peggy Lane, Moncks Corner, TMS #141-00-02-079 (3 acre portion, 19.70 acres total), from F-1, Agricultural District, to GC, General Commercial District. Council District No. 8.

[Recommended by Committee on Land Use]

2. **Bill No. 01-71**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: James and Arlene Stringer, 2213 State

Road, Moncks Corner, TMS #178-00-03-005, from GC, General Commercial and F-1, Flexible District to F-1, Flexible District. Council District No. 7.
[Recommended by Committee on Land Use]

FIRST READING:

1. **Bill No. 02-01**, The Fourth Supplemental Ordinance providing for the issuance and sale of Berkeley County, South Carolina, Solid Waste System Revenue Bond, Series 2002, in the principal amount of \$2,650,000: and other matters relating thereto.

[Recommended by Committee on Water and Sanitation]

2. **Bill No. 02-02**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Ralph and Linda Haynes, 113 Lisenby Drive, Moncks Corner, TMS #196-13-00-039 (1 acre portion, 1.7 acres total), from GC, General Commercial District, to R-2, Manufactured Residential District. Council District No. 4.

[Recommended by Committee on Land Use]

3 **Bill No. 02-03**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Thelma H. Phillips, Treeline Drive, Ladson, TMS #242-02-00-033 (1.85 acres), and Mary O. & Donald N. Williams, Treeline Drive, Ladson TMS #242-02-00-034 (1.80 acres), from R-2, Manufactured Residential District, to GC, General Commercial District. Council District No. 5.

[Recommended by Committee on Land Use]

4. **Bill No. 02-04**, an Ordinance to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: Kenneth McCoy, 718 and 723 Old Back River Road, Goose Creek, TMS #244-11-02-001, 002, and 032 (8 acres total), from R-2, Manufactured Residential District, to R-2R(F), Mobile Home Farm Residential District. Council District No. 3.

[Recommended by Committee on Land Use]

RESOLUTIONS:

1. **RESOLUTION** providing for the Transfer of Funds in the 2001-2002 Berkeley County Budget for County Purposes other than as specified in said Budget.

[Recommended by Committee on Finance]

2. **RESOLUTION** authorizing Berkeley County, South Carolina to consent to the assignment by the Ross Entities (as such term is defined herein) of their interest in a real property lease purchase agreement pursuant to a fee-in-lieu of ad valorem taxes and other matters related thereto.

[Recommended by Committee on Finance]

REPORTS FROM STANDING COMMITTEES:

1. Committee on Finance.
Councilmember Steve M. Vaughn, Chairman.
2. Committee on Land Use.
Councilmember Charles E. Davis, Chairman.
3. Committee on Public Works and Purchasing.
Councilmember William E. Crosby, Chairman.
Bids and Recommendations:
Main EMS Building
4. Committee on Justice and Public Safety.
Councilmember Milton Farley, Chairman.
5. Committee on Water and Sanitation.
Councilmember Henry L. Richardson, Jr., Chairman.
6. Committee on Planning and Development.
Councilmember Judith K. Spooner, Chairman.
7. Committee on Community Services.
Councilmember Judy C. Mims, Chairman.
8. Committee on Human Services.
Councilmember Caldwell Pinckney, Jr., Chairman.

NOMINATIONS FOR MEMBERSHIP ON BOARDS, COMMISSIONS, ETC.

1. BERKELEY COUNTY LIBRARY BOARD
2. CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS
3. DEVON SPECIAL TAX DISTRICT
Judith Y. Murray (Mr. Vaughn)
4. HOUSING BOARD OF ADJUSTMENTS AND APPEALS
5. SANGAREE SPECIAL TAX ADVISORY COMMISSION
6. SPIERS LANDING COMMISSION
7. SPECIAL FIRE TAX DISTRICT ADVISORY COMMISSION
Fire District No. 3: James Thomas (Mr. Crosby)
8. WATER AND SANITATION APPEALS BOARD

CORRESPONDENCE

UNFINISHED BUSINESS

NEW BUSINESS

ANNOUNCEMENTS

The FEBRUARY 2002, Regular Meeting of Berkeley County Council will be held on MONDAY FEBRUARY 25, 2002, in the Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C., at 7:00 P.M.

ADJOURNMENT

EXECUTION OF DOCUMENTS BY COUNCIL

PUBLIC DISCUSSION

January 23, 2002
S/Barbara B. Austin
Clerk to County Council